

CALLING ATTENTION TO MATTERS OF URGENT PUBLIC IMPORTANCE

re: Assault on Sri Bilanaik of Backward Caste person working in Agricultural Farm Hebbanahatti village Khanapur Taluk

SRI B. B. SAYANAK.—Sir, I call the attention of the Chief Minister to the assault on Sri Balu Naik, a backward caste person, working in Agricultural Farm, Hebbanahatti village in Khanapur Taluk during the second week of May, 1980.

SRI M. VEERAPPA MOILY (Minister for Finance and Planning):—I would like to make the following statement on behalf of the Chief Minister.

One Sri Balu Yellappa Talwar of Hebbanahatti in Khanapur Taluk is a servant with Ex.MLA Sri P. B. Nandihalli whose lands are situated in the village limits of Hebbanahatti for the last 6/7 years.

Sri Balu Talwar was sleeping in his farm house belonging to Sri P. B. Nandihalli along with his two relatives. On 9-5-1980 at about 12-30 one Sri K. R. Patil came to his farm, woke him and took him away 2 furlongs near a nala.

Sri K. R. Patil and 4 or 5 others gave him banana for eating and started beating Sri Balu Talwar. His two heels of his legs and nose were cut by them with sharp instrument and they ran away leaving him near the nala. He went to his farm house crawling. In the morning he alongwith his relative i.e., sister's son viz. Irappa Shivaaji Sanddi went to Jamboti Out Post Police Station, where a constable B. No. 1433 took him to Khanapur T. D. B. House for immediate medical aid. While under treatment the Station House Officer, Khanapur Police Station 1420 recorded Balu's statement and an offence at Khanapur Police Station Cr.No. 48/80 u/s 147, 148, 149, 326 R/w 34 IPC was registered on 9-5-1980 at 4-00 P.M. The condition of the injured Sri Balu Talwar is improving. At present he is staying in his own house at Handignur in Belgaum Taluka. During the course of investigation one accused K. R. Patil of Tilkwadi Belgaum has been arrested and he was produced before the Court. He was released on bail by the Judicial Magistrate First Class, Khanapur. Efforts to trace the other accused are in progress. The motive is apparently to remove Sri Balu Talwar from his farm house. Investigation of the above case is in progress.

12-00 noon

SRI B. B. SAYANAK.—Mr. Chairman, in the statement made by the Hon.Minister, it has been mentioned that Sri Balu was there

along with his two relatives but they have not mentioned the names of those relatives. It has also been mentioned that Sri K. R. Patil and 4-5 others gave him banana. In this case, only Sri K. R. Patil has been arrested but others have not been arrested. I would like to know the reasons for that. This was not an act of one person; Some 4-5 persons must have been involved in this act. According to my knowledge, there is an illicit connection of the sister of Sri Balu with Mr. P. B. Nandihalli, an Ex-M. L. A. and that was why Mr. Nandihalli wanted to kill Mr. Balu. In this statement, the Hon. Minister has not mentioned about those things. I therefore request the Government to conduct a thorough investigation in this regard.

SRI M. VEERAPPA MOILY —We will definitely investigate the case

SRI P. A. PAWASHE.—From the statement, it is clear that the motive is apparently to remove Mr. Balu from his farm house. I would like to know whether during police investigation, it was found out who was interested in removing Mr. Balu from the land and the reasons for removing him?

SRI. M. VEERAPPA MOILY —The case is still under investigation. We are trying to trace out who else is involved etc, So, all these facts may be brought to the notice of the Investigation Officer.

SRI. N.B. SIRDESAI —Since the Police have suppressed the actual facts, may I know whether the Government is going to give an assurance that this matter will be entrusted to an intelligent, honest and sincere Officer of the C.O.D. to enquire into it and submit a report to the Government as early as possible?

SRI M. VEERAPPA MOILY.—The Police are not suppressing the facts. Unless we find there is *prima-facie* case that the police are suppressing the facts, there is no point in entrusting it to COD. After all, in the normal course, we cannot discourage a Police Officer from investigating a case and we cannot go on entrusting each and every case to the COD; If we do it then the scope of investigation will be hindered. Here, in this case, there is no scope for entrusting it to COD because the case is still under investigation and it is progressing well. So, there is absolutely no scope for entrusting it to COD.

SRI N. B. SIRDESAI.—I would like to inform the Hon. Minister that this is not the only instance wherein Mr. Nandihalli is involved. There are two other instances also wherein the wives of the servants were beaten by him and driven them out. So, in order to suppress the facts, the Police have supplied incorrect information to the Government and relying on the incorrect statement, the Hon. Minister

has made this statement here. So, I appeal to the Government to entrust this matter to the COD for a thorough enquiry and get the report from them and take stern action against the culprits.

SRI M. VEERAPPA MOILY.—We are concerned about the investigation of this case. The Hon. Member says that there are so many other cases wherein he is involved. We don't know whether they are under different stages. But, as far as this case is concerned, the Government does not find that the Police are suppressing any fact or any thing is hindering investigation. Unless there are cogent and *prima-facie* evidence that the investigation has been hindered or hampered, I don't think there is any case for entrusting it to COD.

SRI B. B. SAYANAK.—Here, in the statement, the Hon. Minister has mentioned that Sri K. R. Patil and 4 or 5 others gave him banana. The Police have arrested Sri. Patil. Therefore, is it so difficult to get the names of other persons? Two heels of his legs and nose were cut; Therefore, one person cannot do all these things. Some 4-5 persons must have been involved. They should also be arrested. According to the Police information also, there is an illicit connection of a lady with Sri P. B. Nandihalli. Why was not this point mentioned in the statement? I therefore want a thorough enquiry to take place in this case. I want the Government to give an assurance that a thorough enquiry will be conducted in this case.

SRI M. VEERAPPA MOILY.—In the statement also, we never said Sri K. R. Patil alone is involved. We have only said that there are some others also. We have said that efforts to trace the other accused are in progress. So, with regard to thorough enquiry and proper investigation, the Hon. Members can be rest assured that the Government and the Police will make appropriate enquiry and the investigation will never be influenced by anyone and the Hon. Members need not worry about the fair investigation in this case.

SRI B. B. SAYANAK.—He is an influential person. He will purchase your Officers, even the Sub-Inspectors. That is why, we are worried.

SRI M. VEERAPPA MOILY.—After all, one individual cannot override the public interest. The Government is quite strong enough to deal with any person. We will deal with them under the appropriate CR. PC So, the Investigation is going on. We will definitely see that Police investigate properly and fairly.

(Sri H. T. Krishnappa in the Chair)